

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:11CR53
)	
v.)	
)	
VANESSA CORONEL,)	MEMORANDUM OPINION
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion under 28 U.S.C. § 2255 to vacate, set aside or correct sentence by a person in federal custody (Filing No. [83](#)), the response of the plaintiff (Filing No. [94](#)) and the affidavit of Mr. Davis (Filing No. [95](#)). The Court directed the plaintiff to file a response, which should include an affidavit of defendant's counsel, James Martin Davis (Filing No. [85](#)).

The Court has carefully reviewed these filings. In addition, the Court has reviewed the defendant's petition to enter plea of guilty (Filing No. [71](#)), and the plea agreement entered into by the parties (Filing No. [72](#)).

Initially the Court notes that the government's response accurately sets forth the proceedings in this matter, leading up to her plea of guilty, which the Court accepted. In her petition to enter a plea of guilty, defendant stated her age and that she had two years of college education. She further acknowledged that she was satisfied with the job her attorney had done for her.

In addition, in her plea agreement (Filing No. [72](#)), she agreed she should be held responsible for over 150 grams of actual methamphetamine and that she understood she was subject to a mandatory minimum sentence of ten years.

In Section VI, Page 5-6 of the plea agreement, defendant "further knowingly and expressly waives any and all rights to contest the defendant's conviction and sentence in any post-conviction proceedings including any proceedings under 28 U.S.C. § 2255" with exceptions not applicable here.

Without invoking that waiver, the Court finds that she clearly understood her rights, the nature and details of the crime to which she pled guilty, and the mandatory sentence of ten years provided by statute.

Her motion simply has no merit and for the above reasons, it will be denied. A separate order will be entered in accordance with this memorandum opinion.

DATED this 15th day of October, 2012.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court